

CITY COUNCIL MINUTES

January 12, 2009

REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, January 12, 2009 at 6:00 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Council Members Present: Keith Nesbitt, Kevin Hanley, Bill Kirby, Bridget Powers, J. M. Holmes,

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Police Chief Valerie Harris

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor's Birthday Greeting – Annabell McCord 90th Birthday

Mayor Holmes asked Annabell McCord to join him at the lectern. He read aloud the "Mayor's Birthday Greeting" to Mrs. McCord. He said she had also received the McCann award, which was not noted in the greeting. She thanked Mayor Holmes. She said, with wonderful Council Members and volunteers, the citizens should be as proud of the City as she is.

Mayor Holmes thanked those Council Members who had confirmed their committee assignments.

He advised that he and others would be meeting with an official from the Federal Railroad Administration to discuss Quiet Zones. He also announced the following day's Economic Summit aimed at enhancing the City's economic future.

Mayor Holmes asked for a report from the Auburn Arts Commission. He also asked that the City's representative to the Placer County Economic Development Commission help with a nomination for the refurbished Victorian buildings on Maple Street.

AGENDA APPROVAL

Mayor Holmes asked for the postponement of Item 12, Shuttle Services, for future discussion. He suggested it may be appropriate to discuss it at the next day's Economic Summit. It was removed from the agenda without objection by the Council. The agenda was otherwise approved without objection.

CONSENT CALENDAR

1. **Minutes**

By **MOTION** approve City Council Minutes of November 24, 2008.

2. **Amended State Transit Assistance Fund Claim**

By **RESOLUTION 09-1** authorize the Director of Public Works to submit and execute on behalf of the City of Auburn the Amended 2009/09 Transportation Development Act (TDA) claims for the State Transit Assistance Fund (STA) in the amount of \$44,319 to the Placer County Transportation Planning Agency (PCTPA).

3. **Fralick Property Parcel Map**

By **RESOLUTION 09-2** approve the Fralick Parcel Map and authorize it to be filed with the Placer County Recorder's Office.

4. **Wildland Fire Protection Agreement with Cal Fire Department of Forestry & Fire Protection for Fiscal Year 2008-2009**

By **RESOLUTION 009-3** approve and authorize the Fire Chief to sign the Wildland Fire Protection Agreement with Cal Fire Department of Forestry & Fire Protection for Fiscal Year 2008-09.

5. **Dispatch Agreement Amendment for Fiscal Year 2008/09 with Cal Fire, Department of Forestry & Fire Protection**

Item removed from Consent Calendar at the request of Council Member Nesbitt.

6. **Amended and Restate Contract with City Manager Robert Richardson**

By **MOTION** approve the amended and restated contract with City Manager Robert Richardson to extend its term for two years, with no change in economic terms.

7. **Disclosure of Sales Tax Information to Two Members of the City Council**

Item removed from Consent Calendar at the request of Council Member Nesbitt.

***** End of Consent Calendar *****

By **MOTION** approve the Consent Calendar excluding Items 5 and 7.
MOTION: Hanley/Powers/Approved 5:0

5. **Dispatch Agreement Amendment for Fiscal Year 2008/09 with Cal Fire, Department of Forestry & Fire Protection**

Council Member Nesbitt stated that the “not to exceed” amount should have been placed under the “Fiscal Impact” on the staff report. He said he would like to see that in the future.

By **RESOLUTION 09-4** approve and authorize the Fire Chief to execute the dispatch agreement amendment for Fiscal Year 2008-09 with the Cal Fire Department of Forestry & Fire Protection. **MOTION: Nesbitt/Hanley/Approved 5:0**

7. **Disclosure of Sales Tax Information to Two Members of the City Council**

Council Member Nesbitt questioned the intent of the proposed resolution in allowing the Mayor to designate future committee members. City Manager Richardson explained that it is to allow those who sit on the Administrative Committee access to the confidential information. Mayor Holmes stated that a future Mayor could designate a different member of the Administrative Committee access to the information. Mayor Holmes advised that he and Council Member Hanley realize the “sensitivity of the information” and will respect that.

Council Member Kirby asked why access to the information was limited to only two members of the Council. City Attorney Colantuono advised that information could be made available to all Council Members, but that they would bear the same responsibility of confidentiality. Council Member

Kirby suggested that the information could be pertinent to decisions the Council may have to make. Mayor Holmes advised that during Closed Sessions some financial information may be shared.

By **RESOLUTION 09-5** authorize the disclosure of Sales Tax Information to Mayor Holmes and Council Member Hanley. **MOTION: Nesbitt/Powers/Approved 5:0**

8. **Public Comment**

Gordon Ainsleigh, Meadow Vista resident, stated that he was not representing the Auburn Recreation District. He said he is on the founding Board of Directors of Planning Resource Advocates for Greater Sacramento. He said, although he is a board member, he was not speaking on behalf of the Board.

He said that anything that can be done to benefit the City financially should be considered. He provided a resolution for the Council to utilize, approving rock climbing in the Auburn State Recreation Area. He stated that the Auburn area also has the third most attractive bridge in the nation for bungee jumping. He suggested "Bridge Day" be put into place for weekends of limited activities in the area. He felt visitors benefit the hotels, and the overall economy, by their support of many peripheral businesses. He said both events would bring many visitors to the area.

REPORTS

9. **Economic Stimulus Project List**

Public Works Director Jack Warren presented the item. He advised that the City has received requests to submit projects for the economic stimulus program to regional agencies. The projects requested are those than can get underway quickly. He said the project list may be useful but that there are varying funding issues. He outlined each item on the list to the Council. He advised that the Regional Sewer is not on the list because it is at least three years away.

Council Member Hanley stated that if the City receives some instruction as to how the stimulus program will operate, the list will need to be re-prioritized. All Council Members concurred with the added suggestion that Airport projects be given consideration for their economic impact to the City. Council questions and comments followed.

Bob Snyder, 100 Marina Avenue, suggested that a short list be created. He said the east area hangar sewer system improvements will not improve the rent structure at the Airport. He said he did not feel that the

regional sewer would take three years, especially with the involvement of the economic stimulus program. He said he would like to see it included on the list.

Dan Sokol, 1330 Deerwood Place, stated that Auburn should seek its share of the Federal stimulus funds. He said the City of Auburn should pay attention to the criteria of the Federal Government and not necessarily what the City deems a priority.

Mayor Holmes stated that no matter what the designated priority may be, all projects must be kept on the list.

10. **City Council Committee Reports**

Council Member Hanley stated that a letter from Bureau of Reclamation was sent to the local CAL FIRE unit. He said the Bureau of Reclamation has cancelled its cooperative agreement with CAL FIRE protection in the canyon because of increased cost. He said it is a serious issue because during the winter months wood fuel is removed from the canyon for fire protection in the summer. He said valuable time is being lost due to the cancellation. He said he is working with the City's Fire Chief, the Fire Safe Council and other Fire Safe Councils in an attempt to respond to the situation. He said the Bureau is acting like "an absentee land-owner on a huge amount of property" that is of potential danger to area residents and firefighters. He said the Council may expect more information at an upcoming Council meeting.

Council Member Powers mentioned that the Placer County Economic Development Commission will be hearing a report about the City of Auburn's Streetscape from Public Works Director Warren and herself.

Council Member Kirby said he had met with the Downtown Business Association. He said members were pleased with the Country Christmas and felt the businesses did very well. He said they were interested in the idea of the shuttle and having movies, such as Phenomenon, in the downtown area.

COUNCIL BUSINESS

11. **2009 Cap-to-Cap Trip**

City Manager Richardson presented the item. He suggested Council select a representative. He stated that it will probably be a unique trip this year regarding the availability of funding from the Federal Government. He said the cost would be \$3495.00 per participant plus a basic per diem.

Council Member Hanley supported the item. He suggested that a Council session be held with staff and residents to discuss lobbying items. He also requested a report from the representative after the trip.

Mayor Holmes stated that he asked that item be placed on the agenda at this time because enough time had to be allowed for its consideration. He said he has been on the trip for four or five years. He said he felt it to be a very useful way to communicate with elected representatives and their staff. He said, while the City does not always see immediate results, there is an opportunity present our concerns. He said he is proposing that he go on the trip and is prepared to limit the City's expenditure to \$2000.00. He said letters from him have already been sent to our representatives with some of the City's concerns. He said he will meet with a representative of Congressman McClintock's office to discuss some of Auburn's issues.

Council Member Hanley suggested that the item be placed on the agenda of the next Council meeting to prioritize the items.

Council Member Nesbitt said that moving too quickly in setting the priorities may be a mistake. He said he would suggest getting an idea of the Federal Government's plan before itemizing priorities. He said, as the Chairman of the Placer County Transportation Planning Agency, he has been invited to attend the Cap-to-Cap as a transportation advocate. He said that by the next meeting the Council may still not know what the economic stimulus package will entail.

City Manager Richardson stated that he would check the time frame for requests to be presented to the Cap-to-Cap group. Mr. Warren advised that they are currently taking projects to be placed on the lobbying list. Mr. Richardson advised that staff will obtain the exact time frame.. Accordingly, the item will be placed on an agenda appropriate to the time frame or a special session will be held if needed.

Council Member Powers advised that the Sacramento Chamber of Commerce creates teams that make appointments with various elected officials. Those teams have designated regional priorities for which they lobby. She said, as a City, we would make individual appointments, to specifically deal with the City's needs. She suggested that, whoever is the representative, he/she becomes a part of a team topic group.

Council Member Kirby agreed that a representative should participate in the Cap-to-Cap event. He stated that he would like to attend, at his own expense, as a learning experience as well as a participant. He recommended that the City fund all "reasonable expenses" for Mayor Holmes if he is the selected representative.

Dan Sokol, 1330 Deerwood Place, said he has always been opposed to the City paying for the Cap-to-Cap event. He said this year he actually favors sending a representative in light of the proposed Economic Stimulus Program. He suggested that in addition to making appointments with State representatives, appointments should be made with Federal staff for hints on obtaining grants.

By **MOTION** (1) send Mayor Holmes to the annual Cap-to-Cap trip and (2) have the City Council hold a future Council Session to develop lobbying priorities and (3) after the trip submit a report to the City Council and make it available to the public and (4) ask Council Member Holmes to work with Council Members Kirby and Nesbitt to assist in the lobbying effort.

MOTION: Hanley/Powers

By **AMENDED MOTION** add that all “reasonable expenses” for the delegate are paid by the City with a cap of \$3200.00. **MOTION: Kirby/Nesbitt**

Council Member Powers asked the City Manager to explain the current policy for Council Member expenditures. Administrative Director Heath answered that typically meal expenses are governed by the I.R.S. per diem rates that change over time and depending on where the event is held. Council discussion followed. Council Member Nesbitt suggested that airfare be added as a paid expense along with “reasonable expenses.”

City Attorney Colantuono explained the effect of the amendment is to state a budget for the trip. He said the City has policies regarding particular expenditures, mandated by state law. He said the essence of the amendment was to state a dollar ceiling on the amount to be expended.

By **AMENDED MOTION** (1) send Mayor Holmes to the annual Cap-to-Cap trip and (2) have the City Council hold a future Council Session to develop top lobbying priorities and (3) after the trip submit a report to the City Council and make it available to the public and (4) ask Council Member Holmes work with Council Members Kirby and Nesbitt to assist in the lobbying effort and (5) add a \$3200.00 cap for the delegate’s expenses.

Hanley/ Powers/Approved 5:0

12. **Shuttle Services from the Fairgrounds to the Business Districts**

Item removed from agenda.

ADJOURNMENT

Mayor Holmes, without objection, adjourned the meeting to the closed session at 7:40 p.m.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6 **MOTION: Hanley/Nesbitt/Approved by Voice**

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Robert Richardson
Employee Group: All Bargaining Units

REPORT OUT OF CLOSED SESSION

No reportable Action

ADJOURNMENT

J. M. Holmes, Mayor

Joseph G. R. Labrie, City Clerk